

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EEOC,

Plaintiff,

vs.

CIV. No. 06-920 MV/WDS

CRACKER BARREL,

Defendant.

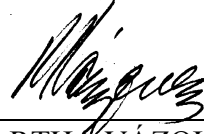
ORDER ADMINISTRATIVELY CLOSING CASE

The parties in this case entered into a Consent Decree resolving all claims. The Consent Decree, which was approved by the Court on August 24, 2007, provides that the Court will retain jurisdiction to enforce compliance with the terms of the Consent Decree. For statistical reasons, the Court prefers that this case not remain on its active docket during the period of years the Consent Decree is in effect and will hereby administratively close the case. The administrative closure will not affect the Court's jurisdiction to enforce compliance with the terms of the Consent Decree. *See, e.g., Mickeviciute v. Immigration and Naturalization Service*, 327 F.3d 1159, 1161, n.1 (10th Cir. 2003) ("The administrative closing of a case does not result in a final order. It is merely an administrative convenience which allows the removal of cases from the calendar in appropriate situations."); *American Heritage Life Ins. Co. v. Orr*, 294 F.3d 702, 715 n.4 (5th Cir. 2002) (concurring opinion) (an administrative closure "has no jurisdictional significance"); *United States v. 27.09 Acres of Land*, 1 F.3d 107, 111 (2nd Cir. 1993) (administrative order closing case for statistical purposes is not a final judgment).

IT IS THEREFORE ORDERED that this case be administratively termed. The Court will retain jurisdiction to enforce the terms of the Consent Decree.

IT IS FURTHER ORDERED that all pending motions be termed as moot.

Dated this 29st day of September, 2007.



MARTHA VÁZQUEZ
U. S. DISTRICT COURT JUDGE